

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(SOUTHERN DIVISION)**

IRENE YATES,

*

*On behalf of herself individually
and on behalf of two classes of similarly
situated persons*

*

Plaintiff

Civil Case: 8:21-cv-03044-TDC

*

v.

*

**NEWREZ LLC d/b/a SHELLPOINT
MORTGAGE SERVICING**

*

Defendant.

JOINT STATUS REPORT OF ALL PARTIES

Plaintiff Irene Yates and Defendant NewRez LLC d/b/a Shellpoint Mortgage Servicing, through their undersigned counsel, jointly provide the Court with the following status report pursuant to the Court's Amended Scheduling Order (ECF. 66) and say:

- I. **Introduction:** The Parties held a Case Management Conference with the Court on March 17, 2023, and now provide this Joint Status Report as required by the Court's Amended Scheduling Order (ECF. 66).
- II. **Completion of Discovery:** The Parties have completed the discovery contemplated by the Amended Scheduling Order, including depositions in South Carolina of Defendant's employees, as discussed during the March 17 Conference. Plaintiff has also responded to the Defendant's written, supplemental discovery requests (a verification page should be transmitted to Defendant's counsel later today or over the weekend).

III. **Pending Motions:** As discussed at the March 17, 2023 Conference, Plaintiff's Motion for Class Certification (ECF. 58) remains pending. The Court has approved the parties' request to submit supplemental briefing which will occur over the next few weeks, with the final brief due on or before May 8, 2023 (ECF. 75).

IV. **Intention to File Dispositive Pre-Trial Motion:** Plaintiff intends to move for partial summary judgement and Defendant reserves the right to also move. The Parties will propose a joint briefing schedule for the Court's approval.

V. **Jury or Non-Jury Trial:** Plaintiff has requested a jury trial but depending upon how the Court rules on her motion for partial summary judgment, a jury trial may not be necessary. Plaintiff does not believe that a trial would last more than four days (and possibly less depending upon any ruling on her dispositive motion).

VI. **Settlement Certification:** Counsel for the Parties certify that they have had serious discussions about settlement, including most recently on March 17, 2023. Those discussions have included the possibility of pursuing private mediation, but there has not yet been agreement on that point. As discussed at the March 17, 2023 Conference the parties agree that should unanimous agreement to proceed to mediation occur, we will promptly notify the Court of that status.

VII. **Referral to a Magistrate Judge for Mediation:** The Parties do not request such a referral at this time.

VIII. **Consent to Assignment to a Magistrate Judge for All Further Proceedings:**
There is not unanimous consent by the Parties at this time to conduct all further

proceedings in the case before a Magistrate Judge, but the Parties will continue to discuss this option and notify the Court if circumstances change.

IX. Other Matters: The Parties have requested a hearing on the Plaintiff's Motion for Class Certification and renew that request here. The Parties understand that the Court indicated at the Case Management Conference on March 17, 2023 that it would decide at a later time if a hearing was necessary

X. Dated: March 31, 2023

Respectfully submitted,

/s/Phillip Robinson

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***Counsel for Defendant NewRez, LLC d/b/a
Shellpoint Mortgage Servicing***

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 31, 2023, the foregoing was filed via the Court's CM/ECF system and served on all counsel of record.

/s/Phillip Robinson _____

Phillip Robinson